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REPLY UNDER 37 C.F.R. § 1.116 – EXPEDITED PROCEDURE  
EXAMINING GROUP 1646

IMPE AF  
1646

VIA HAND DELIVERY APRIL 19, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **COLEMAN et al.**

Application No.: 08/972,301

Art Unit: 1646

Filed: November 18, 1997

Examiner: Kemmerer, E.

For: **Endothelial Monocyte Activating  
Polypeptide III**

Attorney Docket No.: PF206D1

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.116**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action mailed February 18, 2004, Applicants respectfully request entry and consideration of the following remarks. A Fee Transmittal Sheet is submitted concurrently herewith. Applicants note that the instant response is being timely filed within two months of the mailing date of the final rejection under MPEP § 714.13, as April 18, 2004 was a Sunday. *See 35 U.S.C. § 21.*

Please amend that application as follows:

OK to enter  
EOL 4/29/04

144. (previously presented) The protein of claim 143 which comprises amino acid sequence (a).

145. (previously presented) The protein of claim 143 which comprises amino acid sequence (b).

146. (previously presented) The protein of claim 143 which comprises amino acid sequence (c).

147. (previously presented) The isolated protein of claim 143 wherein the amino acid sequence further comprises a heterologous polypeptide.

148. (previously presented) The protein of claim 143 wherein said isolated protein is glycosylated.

149. (previously presented) The protein of claim 143 wherein said isolated protein is fused to polyethylene glycol.

150. (previously presented) A protein produced by a method comprising:

- (a) expressing the protein of claim 143 by a cell; and
- (b) recovering the protein.

151. (previously presented) A composition comprising the isolated protein of claim 143 and a pharmaceutically acceptable carrier.

152-203. (canceled)

204. (previously presented) A substantially purified polypeptide comprising the amino acid sequence of SEQ ID NO:2.

205. (canceled)

206. (previously presented) A pharmaceutical composition comprising the amino acid sequence of SEQ ID NO:2 and a pharmaceutically acceptable excipient.

207. (previously presented) The isolated protein of claim 137 wherein said protein consists of amino acid residues 1 to 168 of SEQ ID NO:2.

208. (previously presented) The isolated protein of claim 143 wherein said protein consists of an amino acid sequence of the mature polypeptide encoded by the cDNA in ATCC Deposit No. 97165.